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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,932	02/14/2001	Dan Kikinis	004688.P011	1334
52940 7590 05/16/2007 HOLLAND & KNIGHT LLP 131 S. DEARBORN STREET 30TH FLOOR CHICAGO, IL 60603			EXAMINER MUHEBBULLAH, SAJEDA	
			ART UNIT 2174	PAPER NUMBER
			MAIL DATE 05/16/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/783,932

Applicant(s)

KIKINIS ET AL.

Examiner

Sajeda Muhebbullah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 06 April 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3,6,7,9,11-14 and 20-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,6,7,9,11-14 and 20-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This communication is responsive to RCE/Amendment filed 4/06/2007.
2. Claims 1, 3, 6-7, 9, 11-14 and 20-24 are pending in this application. Claims 1, 3, 7, 9 and 21-24 are independent claims. In the Amendment, claims 1, 3, 6-7, 9, 11-14 and 21-24 were amended.

#### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 6-7, 9, 11-14, and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohkura et al. ("Ohkura", US 6,005,601) in view of Capps et al. ("Capps", US 5,583,833) and further in view of Yoshida (US 4,396,294).

As per claim 1, Ohkura teaches a computer-implemented method for displaying data associated with an electronic program guide, comprising:

displaying movable hour slide knob concurrently with the electronic program guide (Fig.10, *movable slide knob 100X2*);

displaying electronic program guide data corresponding to a position of the one or more moveable slide knobs (Fig.10; *AREA Y*); and

wherein said data corresponding to the position of the moveable slide knob is changed in a frame buffer or a video buffer as a user changes a position of said one or more moveable slide knobs (Fig.17; col.15, lines 12-25).

However, Ohkura does not teach displaying a minute slide knob positioned on a representation of an analog clock, the movable hour and minute slide knobs corresponding to the hour hand and the minute hand, respectively, the hour hand and the hour slide knob incrementing or decrementing upon each travel of the minute slide knob representative of sliding 60 minutes. Capps teaches the display of movable hour and minute slide knobs positioned on an analog clock (Capps, col.7, lines 7-22; Figure 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Capps' teaching with Ohkura's method in order to obtain a good sense of visual feedback.

Furthermore, the method of Ohkura and Capps does not teach the movable hour and minute slide knobs corresponding to the hour hand and the minute hand, respectively, the hour hand and the hour slide knob incrementing or decrementing upon each travel of the minute slide knob representative of sliding 60 minutes. Yoshida teaches a method of setting the time using an analog clock wherein the hour hand moves in response to the complete revolution of the minute hand (Yoshida, col.6, lines 48-57). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Yoshida's teaching with the method of Ohkura and Capps in order to easily and rapidly change time.

Independent claims 3, 7 and 9 are individually similar in scope to independent claim 1, and are therefore rejected under similar rationale.

As per claim 6, Ohkura teaches the device wherein the slide knob on the analog clock indicates a series of programs to be viewed (Fig.10, *AREA Y*).

As per claim 11, Ohkura teaches the computer-implemented method further comprising, displaying a plurality of movable slide knobs on the analog clock concurrently with the

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electronic program guide, wherein each moveable slide knob on the analog clock corresponds to a different incremental value (Fig.10, *movable slide knobs 100X1, 100X2, 100Y, 100Z*).

Claims 12-14 are individually similar in scope to claim 11, and are therefore rejected under similar rationale.

As per claim 20, the method of Ohkura, Capps, and Yoshida teaches further comprising a minute hand grab mechanism (Capps, col.7, lines 19-22; Figure 3).

As per claim 21, Ohkura teaches a computer-implemented method for displaying data associated with an electronic program guide, comprising:

displaying one or more mechanisms having at least an hour hand mechanism concurrently with the electronic program guide (Fig.10, *hour hand sliding mechanism 100X2*);

displaying electronic program guide data corresponding to a position of the hour hand mechanism (Fig.10, *AREA Y*); and

wherein said data corresponding to the position of the mechanism is changed in a frame buffer or a video buffer as a user changes a position of said hour mechanism (Fig.17; col.15, lines 12-25).

However, Ohkura does not teach an analog-type mechanism having at least an hour hand grab mechanism and a minute hand grab mechanism positioned on a representation of an analog clock, the hour hand grab mechanism and the minute hand grab mechanism corresponding to the hour hand and the minute hand, respectively, the hour hand incrementing or decrementing upon each revolution of the minute hand grab mechanism representative of rotating 60 minutes.

Capps teaches the display of grabbable hour and minute hands positioned on an analog clock (Capps, col.7, lines 7-22; Figure 3). It would have been obvious to one of ordinary skill in the

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art at the time of the invention to combine Capps' teaching with Ohkura's method in order to obtain a good sense of visual feedback.

Furthermore, the method of Ohkura and Capps does not teach the hour hand grab mechanism and the minute hand grab mechanism corresponding to the hour hand and the minute hand, respectively, the hour hand incrementing or decrementing upon each revolution of the minute hand grab mechanism representative of rotating 60 minutes. Yoshida teaches a method of setting the time using an analog clock wherein the hour hand moves in response to the complete revolution of the minute hand (Yoshida, col.6, lines 48-57). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Yoshida's teaching with the method of Ohkura and Capps in order to easily and rapidly change time.

Claims 22-24 are individually similar in scope to claim 21, and are therefore rejected under similar rationale.

#### ***Response to Arguments***

5. Applicant's arguments with respect to RCE/Amendment filed 4/06/2007 have been considered but are moot in view of the new ground(s) of rejection.

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***Communications***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajeda Muhebbullah whose telephone number is (571) 272-4065. The examiner can normally be reached on Tuesday/Thursday and alt. Mondays from 8:30 am to 5:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The central fax number for the organization where correspondence for this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

***Sajeda Muhebbullah***  
***Patent Examiner***  
***Art Unit 2174***

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